

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL EXECUTIVE COMMITTEE MEETING

November 2, 1998
MAG Offices - Saguaro Room
302 North 1st Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor Neil Giuliano, Tempe, Chairman
Mayor Skip Rimsza, Phoenix, Vice Chairman
Mayor Jay Tibshraeny, Chandler

Mayor Elaine Scruggs, Glendale
Mayor John Keegan, Peoria

1. Call to Order

The meeting was called to order at 12:15 p.m. by Chairman Neil Giuliano.

2. Approval of the August 24, 1998 Meeting Minutes

Mayor John Keegan moved, Mayor Skip Rimsza seconded, and it was unanimously carried to approve the minutes of the August 24, 1998 meeting.

3. Proxy Policy for MAG Meetings

Chairman Giuliano stated that at the October 15, 1998 meeting of the Regional Council Transportation Subcommittee, the Chairman of the Subcommittee requested that the Executive Committee provide guidance on the proxy policy for participating in MAG meetings. The MAG Bylaws allow for Regional Council members to be represented by proxy. The practice at MAG for proxies has been for Regional Council members to be represented by an elected official from their community. At question is whether an elected official from another MAG member agency can serve as a proxy vote for another member agency. He noted that guidance on this issue is requested from the Executive Committee.

Mayor Keegan stated that he originally considered the proxy designation for the Regional Council Transportation Subcommittee to encompass one city for another since the issues being discussed were broader in nature and of a regional application. He said he was aware that a Councilmember usually serves as a proxy for the Mayor of the same jurisdiction. However, since not all Councilmembers may possess a deep background on every issue, he felt it made sense for an adjoining community to represent the viewpoints of their geographic region.

Mayor Scruggs stated that the Regional Council Transportation Subcommittee represents different parts of our region and regional representation is important. Since she was unable to attend the October 15th meeting, she asked Mayor Keegan to be proxy. Mayor Scruggs suggested the overall proxy policy be discussed.

Mayor Tibshraeny asked for clarification of proxy rules for all committees. Mayor Rimsza commented that we should refer to "Robert's Rules of Order" for guidelines on proxies.

Chairman Giuliano asked Mr. Bourey to look into proxy designation in "Robert's Rules of Order." Mayor Rimsza suggested that a document be written outlining what the proxy practice has been, what other regions do, and what is designated by "Robert's Rules of Order." Mayor Keegan stated that we should look into how larger cities, such as Los Angeles or Dallas handle their proxy designations. Mayor Rimsza commented that we should stay within generally accepted meeting practices.

4. Preliminary Planning for the Regional Council Retreat

Mr. Bourey stated that after consulting the calendars of all members, it was decided to hold the Regional Council Annual Retreat on January 8, 1999 at the Buttes Resort in Tempe. Mr. Bourey said that based on the results of last year's discussions, he had a list of the items for topics this year. The past year's goals and accomplishments will be reviewed. He said communications and public relations will be discussed. Since the last Retreat, Kelly Taft has been hired as the Public Information Officer and is presently putting together a public communications plan. Mr. Bourey said members will receive a draft of the plan and would like their input before it is released. Mr. Bourey noted that Committee Structure will also be discussed. This includes furthering the involvement of Councilmembers. Mr. Bourey stated that the Work Program and priorities would also be discussed.

Chairman Giuliano stated that a Goals and Objective status report should be drafted outlining what we are working on, accomplishments, which projects we are not continuing, and identifying policy issues to provide direction to staff for the upcoming year.

Mayor Rimsza expressed concern that Councils elected geographically and serving on a committee dealing with geographic issues would not represent a city at large. Mayor Rimsza asked if the Mayor nominates the committee members. Mayor Scruggs stated the Mayor generally nominates Chairpersons by letter.

Chairman Giuliano asked for the time of the Retreat. Mr. Bourey replied that the Retreat could begin at 8:30 a.m. and could last until dinner. Chairman Giuliano stated that although attendance was good and a lot was accomplished last year, many did not stay for dinner. He suggested that we make dinner informal and optional, perhaps at the restaurant for those who wish to stay.

Mr. Bourey stated that could be discussed at the next Executive Committee meeting on December 7th. He mentioned that he would like more discussion on the topics for the Retreat.

5. Transportation Planning/Programming Update

Mr. Bourey stated that this is an important issue because a large amount of money for our region is at stake. He reiterated that MAG went through the federal certification process by the United States Department of Transportation (USDOT). USDOT stated that MAG had done a terrific job with the exception that the estimate of available funds was not being supplied by ADOT to MAG. Mr. Bourey said that MAG develops the Transportation Improvement Program (TIP). He noted that ADOT selects projects and adds them to the TIP. Mr. Bourey stated this is where the problems occur, since MAG develops the regional freeway system, but does not control projects outside the MAG process. Mr. Bourey commented this is not what the legislation envisioned and we need to sit down together with ADOT and cooperatively determine the transportation program.

Mayor Rimsza asked for examples of projects that were outside the MAG freeway system. Mr. Bourey gave examples of SR 85 bridge over the river.

Mayor Rimsza asked if this project selection process could change if the Regional Council were involved. Mr. Bourey replied that Mary Peters, ADOT Director, has agreed to the conceptual agreement. He said we will develop the statewide criteria for all federal and state money. Mr. Bourey stated that significant progress has been made in the four meetings that have been held with ADOT and the COG Executive Directors. Mr. Bourey noted that Mary Peters does not think we can implement the criteria process this year. Mayor Rimsza asked if this is due to the time frame or ADOT's lack of interest. Mr. Bourey replied it could be both. He noted that ADOT develops a five-year program with the anticipated amount of funding. This amount is overprogrammed over the first two years of the five-year program. Mr. Bourey stated that with TEA-21 funding, 57 percent more funding is available. Mr. Bourey commented that Ms. Peters stated that \$1.4 billion is available to be programmed. However, staff worked through item by item, deducting for lump sum amounts such as ADOT staff, consultants, and newsletters, and came up with a figure of \$952 million that is not assigned to specific statewide projects. Mr. Bourey noted that out of this \$952 million, amounts are obligated for programs such as pavement preservation and bridge inspections. He noted that if we do not have the flexibility in reprogramming the lump sum amounts, only \$628 million would remain for new projects.

Chairman Giuliano asked for clarification on this discrepancy. Mr. Bourey replied that they want to continue to program increased amounts for pavement preservation projects, and these projects are mostly in rural areas. Chairman Giuliano stated that through the ADOT Board we can impact the decisions. Mayor Rimsza stated he had spoken to Katie Dusenberry, ADOT Board member, who attested there is almost no money available for new projects.

Chairman Giuliano stated that these funds are federally designated and we may have legal recourse. Mr. Bourey stated that ADOT has traditionally controlled these funds and regions have had less control. Dennis Smith stated that we are too far into the programming process and it is important for ADOT to follow the law and provide the estimate to MAG. Mr. Bourey stated that a large amount of funds is coming available this year. If we wait until next year, it will be virtually impossible to get our share.

Mayor Rimsza stated that we have support from the business community. He noted that the number one problem in our region is the lack of flow in our transportation system. He noted that the rural roads seem to be in good shape.

Mr. Bourey referred to the fair share analysis completed by Eric Anderson. He noted that the 35.8 percent fair share equals \$780 million more during this next programming cycle. Applying the statewide criteria to the \$952 million available multiplied by our region's overall share and you arrive at approximately \$500 million, which is 93 percent, our fair share of the funds.

Mayor Keegan asked for examples of other, more rural projects outside the region. Mr. Bourey gave as examples Highway 89 and Highway 93 improvements.

Mayor Scruggs asked how MAG views Highway 93. Mr. Bourey responded that system criteria would be applied, since Highway 93 is within our region and much of the traffic originates in Maricopa County. Mayor Scruggs asked why there appears to be resentment if ADOT completes these projects. Mr. Bourey replied there is none. He stated that ADOT decided this project unilaterally without discussing the project with MAG. Mayor Scruggs asked if this was because MAG only looks at the freeway program. Mayor Rimsza stated that MAG is required to decide on roads of regional significance.

Chairman Giuliano stated we need to outline a time frame for our policy issue dealings with the State Transportation Board. Mr. Bourey stated that we need to receive the funding estimate for the TIP by December for action on the conformity analysis for the next year. He mentioned that ADOT's five-year plan

is tentatively due in January. Later, they will hold a public hearing and adoption. Chairman Giuliano asked what steps staff has taken to impact the process. Mr. Bourey replied that we are in the process of setting up a meeting with the Chairman and Vice-Chairman of the State Transportation Board. He mentioned that the Chambers of Commerce are very supportive and have urged ADOT to provide the region our fair share.

Chairman Giuliano stated we need to strongly communicate our position to ADOT. Mr. Bourey commented that he is drafting a letter to Ms. Peters. Chairman Giuliano stated he is meeting with Ms. Peters on Tuesday and will discuss with her how the federal guidelines need to be followed.

Mayor Rimsza stated that we need to present examples of the traffic congestion problems.

Chairman Giuliano suggested that a meeting take place with the Chairman and Vice-Chairman of the State Transportation Board and State Legislative leaders. He commented they need to be aware of the situation. Mr. Bourey noted that the Legislature is very interested.

Mayor Rimsza stated that we need to develop a message from this region.

Chairman Giuliano stated there will be a meeting with the Intergovernmental Liaisons to discuss this on Tuesday.

Mayor Scruggs stated that in 1996, the voters passed a tax for completion of the freeway system. She mentioned it is within the power of the State Transportation Board to withhold this money and it is important that we are aware of this.

Mr. Bourey commented we need to work with the Board. Chairman Giuliano stated that the Board has a commitment to this region. Mr. Bourey stated that we will be able to get much information from the focus groups that are meeting November 2nd through the 9th.

Mayor Scruggs suggested that notification of focus group meetings be made to the relevant agencies where the groups will meet. She commented that the focus groups offer only limited seating and noted that this is not a good process if we want to obtain the maximum input.

There being no further business, the meeting was adjourned at 1:10 p.m.

Chairman

Secretary